

**RESTRICTIONS ON RIDERS IN THE BACK
OF OPEN VEHICLE**

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Craig W. Buttars

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending provisions related to passengers riding on certain portions of a motor vehicle.

Highlighted Provisions:

This bill:

- ▶ prohibits a person operating a pickup truck from knowingly permitting a person under 12 years of age to ride in the back of the pickup truck on a highway with a posted speed limit of 45 miles per hour or more; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-1703, as renumbered and amended by Chapter 2, Laws of Utah 2005

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-6a-1703** is amended to read:

41-6a-1703. Prohibition as to passenger riding on improper portion of motor



28 vehicle -- Exceptions.

29 (1) A person may not ride and a person operating a motor vehicle may not knowingly
30 permit a person to ride on any portion of a vehicle not designed or intended for the use of
31 passengers.

32 (2) This provision does not apply to:

33 (a) a vehicle that is not being operated on a highway;

34 (b) an employee engaged in the necessary discharge of the employee's duty; or

35 (c) a person riding within or on a motor vehicle in a space intended for a load on the
36 vehicle.

37 (3) Notwithstanding the exception under Subsection (2)(c), a person operating a pickup
38 truck as defined under Section 41-1a-102 may not knowingly permit a person under 12 years of
39 age to ride in the back of the pickup truck on a highway with a posted speed limit of 45 miles
40 per hour or more.

Legislative Review Note**as of 2-3-05 4:49 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note**Bill Number HB0265****Restrictions on Riders in the Back of Open Vehicle***10-Feb-05**1:24 PM*

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst